

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

**KEN PAXTON, IN HIS OFFICIAL  
CAPACITY AS ATTORNEY GENERAL OF  
TEXAS, ET AL.,**

Plaintiffs,

v.

**No. 4:22-cv-0143-P**

**MARVIN RICHARDSON, IN HIS OFFICIAL  
CAPACITY AS ACTING DIRECTOR, BUREAU  
OF ALCOHOL, TOBACCO, FIREARMS, AND  
EXPLOSIVES,**

Defendant.

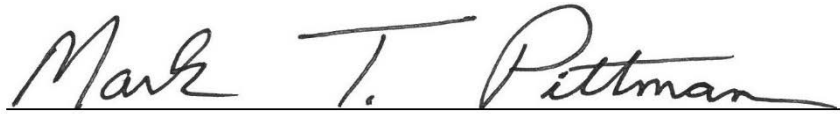
**ORDER**

On April 26, 2022, Defendant filed a Motion to Dismiss (“Motion”), arguing that the Anti-Injunction Act bars Plaintiffs’ claims and that Texas lacks standing. ECF No. 10. On May 17, Plaintiffs timely filed a Response to the Motion and a first Amended Complaint. ECF Nos. 11, 12. Accordingly, the Court ordered the Parties to meet to discuss whether the Defendant’s Motion was moot by the filing of the Amended Complaint. ECF No. 15. On May 20, the Parties filed a Joint Status Report and Motion to Extend the Deadline to Respond. ECF No. 16.

The Court has discretion to apply the original motion to dismiss to the amended complaint if the deficiencies and arguments from the first motion remain relevant or to dismiss the motion as moot. *See New World Int’l, Inc. v. Ford Glob. Techs., LLC*, 2017 WL 1078525, at \*5 (N.D. Tex. Mar. 22, 2017) (Lynn, C.J.). Having reviewed the applicable law and the docket entries, the Court concludes that the Defendant’s Motion to Dismiss should be **DENIED as moot**. Further, the Court concludes that the Parties’ Joint Motion to Extend Deadlines should be **GRANTED in part**.

Accordingly, the Court **ORDERS** Defendant to answer or otherwise respond to Plaintiff's Amended Complaint no later than **June 15, 2022**. Plaintiffs shall file a response to Defendant's motion to dismiss no later than **July 6**. Defendants shall file a reply no later than **July 20**.

**SO ORDERED** on this **25th day of May, 2022**.

A handwritten signature in black ink, reading "Mark T. Pittman". The signature is written in a cursive, flowing style. The first name "Mark" is written with a large, stylized 'M'. The middle initial "T." is written with a simple 'T' followed by a period. The last name "Pittman" is written with a large, stylized 'P' and a trailing flourish.

Mark T. Pittman

UNITED STATES DISTRICT JUDGE